

1 **Thomas P. Riley, SBN 194706**
2 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
3 **1114 Fremont Avenue**
4 **South Pasadena, CA 91030**

5 **Tel: 626-799-9797**
6 **Fax: 626-799-9795**
7 **TPRLA@att.net**

8 **Attorneys for Plaintiffs**
9 **J & J Sports Productions, Inc.**

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 **J & J Sports Productions, Inc**
13 **Plaintiff,**

14 **vs.**

15 **Israel Valencia Garcia, et al.**

16 **Defendant.**

CASE NO. 5:08-cv-00990 PVT

PLAINTIFF'S *EX PARTE*
APPLICATION FOR AN ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE; AND ORDER
~~(Proposed)~~

17 Plaintiff J & J Sports Productions, Inc., hereby applies *ex parte* for an order continuing the
18 initial Case Management Conference in this action, presently set for Tuesday, June 10, 2008 at 2:00 p.m.
19 to a new date approximately thirty (30) to forty-five (45) days forward. This request is necessitated by
20 the fact that Plaintiff only recently perfected service of process as to the Defendant named to this action.¹
21 Plaintiff awaits receipt of the Proof of Service which will be filed with this Court promptly thereafter.

22 In addition, as of this writing, Plaintiff has yet to receive an answer or any other responsive
23 pleading from the Defendant and the Defendant has not contacted Plaintiff's counsel following service
24 of the suit papers. As a result, Plaintiff's counsel has not conferred with the Defendant concerning the
25 claims, discovery, settlement,

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28 ¹ Plaintiff informed by its process service firm that Defendant Israel Valencia Garcia was personally served on
Wednesday May 28, 2008 at approximately 6:10 p.m.

1 ADR or any of the other pertinent issues involving the case itself or the preparation of a Case
2 Management Conference Statement.

3 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court continue the Case
4 Management Conference presently scheduled for Tuesday June 10, 2008 to a new date approximately
5 thirty (30) to forty-five (45) days forward in order that responsive pleadings may be filed by the
6 remaining Defendant and Plaintiff's counsel may thereafter confer with the Defendant and/or his
7 counsel and thereafter prepare and file a Joint Case Management Conference Statement for the Court's
8 review.

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10 Respectfully submitted,

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14 Dated: June 3, 2008

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley

Attorneys for Plaintiff

J & J Sports Productions, Inc

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ORDER ~~(Proposed)~~

It is hereby ordered that the Case Management Conference in civil action number 5:08-cv-00990 PVT styled *J & J Sports Productions, Inc. v. Israel Valencia Garcia, et al.*, is hereby continued from 2:00 p.m., Tuesday, June 10, 2008, to July 15, 2008 at 2:00 p.m..

The Parties shall file a Joint Case Management Statement in advance of the Case Management Conference pursuant to the Local Rules and the Standing Order of this Court.

Plaintiff shall also serve a copy of this Order on the Defendant and thereafter file a Certification of Service of this Order with the Clerk of the Court.

IT IS SO ORDERED:



THE HONORABLE PATRICIA V. TRUMBULL
United States District Court
Northern District of California

Dated: 6/4/08

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